

REMARKS

In the Office Action mailed February 6, 2009 the Office noted that claims 1-3 and 5-36 were pending and rejected claims 1-3 and 5-36. Claims 1 and 25 have been amended, claims 26-36 have been canceled, claims 37-39 are new, and, thus, in view of the foregoing, claims 1-3, 5-25 and 37-39 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

REJECTIONS under 35 U.S.C. § 112

Claims 1, 28 and 29 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. In particular, the Office asserts that language of the claims is unclear. Claim 1 has been amended and claims 28 and 29 have been cancelled.

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claims 1-3, 5-7, 18, 19 and 24-28 stand rejected under 35 U.S.C. § 103(a) as being obvious over Nishimura, U.S. Patent Publication No. 2006/0063570 in view of Gauld, U.S. Patent Publication No. 2004/0198435 in further view of Bum, U.S. Patent Publication No. 2003/0013417. The Applicants respectfully disagree and traverse the rejection with an argument and

amendment.

Nishimura discusses a mobile device that includes two displays and is foldable.

Gauld discusses an electronic device that has a lower portion that unfolds to reveal an extendable keyboard that when folded a number pad is visible and the device looks similar to a cellular telephone.

Bum discusses a connecting member having its one end hinge-connected to a first casing to overlap with the first casing and its other end connected to a contact one area of a second casing.

The Applicants have amended claim 1 to recite "an upper housing including **a through cutting in an edge portion**; a lower housing; and a 2-axis hinge unit coupling the housings for folding and swinging movement of the upper housing relative to the lower housing about intersecting axes, **one of which is arranged in the lower housing and the other of which is arranged in the upper housing**; wherein **a top face of the one of the axes** is exposed outside the terminal for viewing **due to arranging the one of the axes in the through cutting of the upper housing** in all positions of the upper housing, and an information input device is mounted in **the top face of one of the axes.**" Claim 37 has likewise been amended. Support for the amendment may be found, for example, in Figs. 1A, 1B, 2A, 2B, 3; and page 4, line 24 through page 5, line 1. The pointing device 320 of Fig. 3 is

the same as in the other figures and as such an upper housing includes a through cutting where the pointing device 320 is arranged. The Applicants submit that no new matter is believed to have been added by the amendment of the claims.

Thus, a mobile terminal as amended recites:

- A through cutting is arranged at an edge portion of an upper housing.
- One of the axes is arranged in the lower housing and additionally, it is in the through cutting of the upper housing in all positions of the upper housing.
- An information input device is mounted in a top face of one of the axes.

As such, the one of the axes on the lower housing can be exposed to the outside of the terminal through the through cutting even when the terminal is in the closed position.

Therefore, the information input device mounted on top of one of the axes is exposed to the outside of the terminal in all positions of the upper housing and the user can always keep on operating the information input device.

For at least the reasons discussed above, Nishimura, Gauld and Bum, taken separately or in combination, fail to render obvious the features of claim 1 and the claims dependent therefrom.

Claims 8 and 9 stand rejected under 35 U.S.C. § 103(a)

as being obvious over Nishimura in view of Gauld and further in view of Bum and further in view of Schmitt, U.S. Patent No. 6,088,585. The Applicants respectfully disagree and traverse the rejection with an argument.

Schmitt adds nothing to the combination of Nishimura, Gauld and Bum as applied against the independent claims. Therefore, for at least the reasons discussed above, Nishimura, Gauld, Bum and Schmitt, taken separately or in combination, fail to render obvious claims 8 and 9.

Claims 10-16 stand rejected under 35 U.S.C. § 103(a) as being obvious over Nishimura in view of Gauld and further in view of Bum and further in view of Kim, U.S. Patent No. 6,621,066. The Applicants respectfully disagree and traverse the rejection with an argument.

Kim adds nothing to the combination of Nishimura, Gauld and Bum as applied against the independent claims. Therefore, for at least the reasons discussed above, Nishimura, Gauld, Bum and Kim, taken separately or in combination, fail to render obvious claims 10-16.

Claim 17 stands rejected under 35 U.S.C. § 103(a) as being obvious over Nishimura in view of Gauld and further in view of Bum and further in view of Kim and further in view of Ikeda, U.S. Patent No. 6,957,083. The Applicants respectfully disagree and traverse the rejection with an argument.

Ikeda adds nothing to the combination of Nishimura,

Gauld, Bum and Kim as applied against the independent claims. Therefore, for at least the reasons discussed above, Nishimura, Gauld, Bum, Kim and Ikeda, taken separately or in combination, fail to render obvious claim 17.

Claims 20-22 stand rejected under 35 U.S.C. § 103(a) as being obvious over Nishimura in view of Gauld and further in view of Bum and further in view of Wada, U.S. Patent Publication No. 2003/0174240. The Applicants respectfully disagree and traverse the rejection with an argument.

Wada adds nothing to the combination of Nishimura, Gauld and Bum as applied against the independent claims. Therefore, for at least the reasons discussed above, Nishimura, Gauld, Bum and Wada, taken separately or in combination, fail to render obvious claims 20-22.

Claim 23 stands rejected under 35 U.S.C. § 103(a) as being obvious over Nishimura in view of Gauld and further in view of Bum and further in view of Wada and further in view of Schmitt. The Applicants respectfully disagree and traverse the rejection with an argument.

Wada and Schmitt add nothing to the combination of Nishimura, Gauld, and Bum as applied against the independent claims. Therefore, for at least the reasons discussed above, Nishimura, Gauld, Bum, Wada and Schmitt, taken separately or in combination, fail to render obvious claim 23.

Claims 26-36 have been cancelled.

Withdrawal of the rejections is respectfully requested.

NEW CLAIMS

Claims 37-39 are new. Support for the claims may be found, for example, in claim 1 and Figs. 1A-1C, 2A-2B and 3. The Applicants believe that no new matter is believed to have been added by the inclusion of claims 37-39. The prior art fails to disclose a 2-axis hinge unit coupling the housings and having an open/close rotation axis and a horizontal rotation axis which is in the through cutting of the upper housing in all positions of the upper housing; and an information input device being mounted in a top face of the horizontal rotation axis; or a 2-axis hinge unit coupling the lower and the upper housing allowing faces of the upper housing and lower housing to open and close against each other and to have the upper housing and lower housing rotate relative to each other around an axis created by the pointing device in the 2-axis hinge unit, the pointing device exposed to an operator in any position of the upper housing and lower housing relative to each other.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 112 and 103. It is also submitted that claims 1-3, 5-25 and 37-39 continue to be allowable. It is further submitted that the claims are not taught, disclosed or

suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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